

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.889 of 2019

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Shahnaj Khanam @ Shahnaz Khanan W/o Amanullah Khan, Resident of Bauli Pandariya, P.O.-P.S.-Hajipur, District-Vaishali.

... .. Petitioner/s

Versus

1. THE UNION OF INDIA
2. The Project Director, P.I.U., National Highway Authority of India.
3. The District Magistrate, Purnia.,
4. The District Land Acquisition Officer, State of Bihar, Purnia.
5. The Circle Officer, Anchal-Kasba, District-Purnia.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Abhoy Kumar Kashyap, Adv.
For Union of India	:	Mr. Anshay Bahadur Mathur, Adv.
For the State	:	Ms. Archana Prasad, AC to SC 19
For NHAI	:	Mr. S.N. Pathak, (SC. -NHAI)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 17-12-2019 Heard both sides.

Petitioner filed this writ petition for a direction to the respondents to pay compensation to the petitioner for acquiring her land of khata no.230, khesra no.1522 measuring 14 decimals.

Learned counsel for the petitioner submits that the petitioner purchased the land from Sri Mangan Lal Yadav through a registered sale deed and got her name mutated in the record of rights but even after order passed for mutating the name of the petitioner, the name of the petitioner was not



entered in Register II of the land. Consequently the Land Acquisition Authority issued notice to the vendor of the petitioner. When the petitioner came to know about acquisition of her land, she filed petition before the Project Manager of NHAI, Purnea and a copy of which was also sent to the District Collector-cum-Land Acquisition Authority, Purnea. It is admitted that the petitioner has come to know that her purchased land is being acquired for construction of NH 57. The petitioner should have approached before the Land Acquisition Authority by filing a petition along with sale deed, order of mutation and rent receipts that the petitioner is entitled to get compensation and not the vendor of the petitioner as the vendor of the petitioner has already transferred the land in the name of the petitioner but the petitioner only sent a copy to the District Collector-cum-Land Acquisition Authority, Purnea.

Having considered the facts aforesaid, I dispose of this writ petition with a direction to the petitioner to file a detailed petition before the Land Acquisition Authority, Purnea along with the documents showing that she purchased the land and after purchase, she got her name mutated in the record of rights and she is paying rent and the Land Acquisition Authority, Purnea shall dispose of the petition of the petitioner in



accordance with law within four months from the date of filing
of such petition.

(Prabhat Kumar Jha, J)

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